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REMARKS

Reconsideration of this application is respectfully requested.

Claim 31 has been amended to more clearly define the invention. There has been no change in substance and no new matter is involved since the basis for the amendment is found in the specification on page 7, lines 22 through 24; page 9, lines 15 through 19; and Claim 32.

The claim dependency was amended in Claims 41 and 42. Claim 44 was cancelled. Claims 45, 46 and 48 through 51 were amended to provide proper antecedent basis due to the cancellation of Claim 44. Claims 62 and 63 were amended to provide suitable antecedent basis from Claim 31. There has been no change in substance and no new matter is involved since the basis for the amendment is found in the specification on page 10 at lines 23 through 27.

Claims 64 through 77 have been added to more completely protect the present invention. There has been no change in substance and no new matter is involved since the basis for the new claims is found in the specification as follows:

Claim	Supported in Specification
64	Page 10, lines 34-37
65	Page 10, line 37- page 11, line 2
66	Page 12, lines 26-28
67	Page 12, lines 28-35
68	Page 12, lines 28-30; page 12, line 38- page 13, line 9
69	Page 12, lines 28-30
70	Page 13, lines 25-27
71	Page 13, lines 27-32
72	Page 13, lines 32-36
73	Page 13, lines 12-20
74	Page 9, lines 15-19
75	Page 4, lines 29-32; page 6, lines 5-12; page 8, lines 9-14; page 8, lines 24-32; page 9, lines 8-15; page 12, lines 26-28
76	Page 4, lines 29-32; page 6, lines 5-12; page 8, lines 9-14; page 8, lines 24-32; page 9, lines 8-15; page 11, lines 15-20, lines 31-37; page 11, line 37-page 12, line 3
77	Page 4, lines 29-32; page 6, lines 5-12; page 8, lines 9-14; page 8, lines 24-32; page 9, lines 8-15; page 12, lines 8-18

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The rejection of Claims 31 through 63 as being anticipated by Johnson et al. (WO 01/18604), under 35 U.S.C. 102(b), is respectfully traversed. Claim 31 now recites that the means for collecting the vapor is located *at the means for supplying the absorbent material to the exterior surface of the composition layer*. Collecting the vapor at the means for supplying is described in the specification on page 9 at lines 7 through 20, and shown in the embodiment represented by Figure 1. Claim 31 is not anticipated by nor obvious from the disclosure of Johnson et al. since Johnson et al. do not teach or suggest having a means for collecting the vapor at the means for supplying the absorbent material to the exterior surface of the composition layer. Johnson et al. do not teach or suggest a collection means, such as a vent, plenum, or shroud, at the location where the absorbent material is supplied to the exterior surface of the composition layer.

Applicants respectfully acknowledge the Examiner's position that expressions relating the apparatus to contents thereof during an intended operation are of no significance in determining the patentability of the apparatus claim. However, to the extent that the apparatus claims include an element or elements directed to structure that are used to manipulate the contents, the patentability of the claims should be considered. Johnson et al. do not acknowledge problems with the vapor forming condensate throughout the apparatus, and thus do not teach or suggest structural elements in the apparatus to handle condensate formed from the vapor. Claim 44 has been cancelled. Claims that were dependent from Claim 44, which have been amended to provide proper antecedent basis for the contents, clearly recite structural features of the apparatus as means plus function. The elements described in dependent Claims 45 through 51 and 55 are novel and unobvious over Johnson et al.

Johnson et al. do not teach or suggest means for confining the vapor and the condensate as recited in Claim 45. The plenum or shroud disclosed by Johnson et al. do not confine the vapor or condensate since both the plenum (under the conveyor 144a) and the optional shroud 358 (as shown in Figure 15) have an opening/s (i.e., inlets 369, and the shroud near spring 319) that allows the vapor (and/or condensate) to escape into the environs of the apparatus. The plenum and shroud may collect the vapor, but neither the plenum nor shroud can confine the vapor (and/or condensate) to hold the vapor (and/or condensate) away from other parts of the apparatus. As described in the Background of the present application, a commercial embodiment of a thermal development apparatus for photosensitive printing elements includes a collection pan located underneath a vacuum fan unit by an exhaust conduit to collect condensate before the vacuum fan unit exhausts the vapor. However, the

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collection pan is open to capture condensate and when the conveyor lid is lifted the contents of the pan can spill condensate into the apparatus. Thus the disclosed commercial embodiment of the thermal development apparatus does not confine the condensate.

Johnson et al. do not teach or suggest means *for managing removal of the vapor and the condensate* as recited in Claim 46. Johnson et al. do not teach or suggest means *for separating the vapor from the condensate* as recited in Claim 47. Johnson et al. do not teach or suggest means *for delivering the condensate to the absorbent material* as recited in Claim 49. Johnson et al. do not teach or suggest means *for delivering the condensate to a condensate absorbent material* as recited in Claim 50. Johnson et al. do not teach or suggest means *for exposing the condensate to actinic radiation* as recited in Claim 51. Johnson et al. do not teach or suggest means *for maintaining a nonrecirculating flow of the vapor* as recited in Claim 53. Johnson et al. do not teach or suggest *composing one or more parts of the means for exhausting with a condensate absorbent material* as recited in Claim 54. Johnson et al. do not teach or suggest means *for transporting the vapor through a condensate absorbent material* as recited in Claim 55.

Regarding new independent Claim 75, Johnson et al. do not teach or suggest a *separation unit for managing vapor and the vapor that condenses to form condensate*. Even if one were to construe the plenum or shroud by Johnson et al. as a means for collecting the vapor at or adjacent the heating means, Johnson et al. clearly do not teach or suggest a separation unit for managing the removal of the vapor, vapor and condensate, or condensate from the air.

Regarding new independent Claim 76, Johnson et al. do not teach or suggest a means *for confining the vapor and the vapor that condenses to form condensate, which is connected to the collecting means and oriented vertically or substantially vertically so that the condensate flows under gravity for removal from the apparatus*. Even if one were to construe the shroud or plenum of Johnson et al. as a means for collecting the vapor at or adjacent the heating means, Johnson et al. do not suggest a means for confining the collected vapor and/or condensate in a vertical orientation so that the condensate flows under gravity for removal from the apparatus. In Figure 15 of Johnson, the shroud 358 arguably may collect the vapor, but does not confine the vapor (or condensate) in a vertical orientation for gravity flow removal from the apparatus. Also, the plenum under the conveyor 144a arguably may collect the vapor, but do not confine the vapor (or condensate) in a vertical orientation for gravity flow removal from the apparatus.

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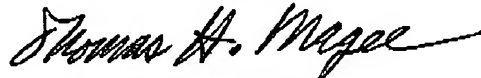
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Regarding new independent Claim 77, Johnson et al. do not teach or suggest *a means for maintaining the vapor in its vaporized state, and a means for managing removal of the vapor through an external filter*. Johnson et al. disclose only that the machine is ventilated by a vacuum fan unit 368 which forms a plenum with the underpart of the conveyor to control fumes from heating the composition layer on the sheet. The exhaust from the unit 368 is vented through a conduit 370. The inlets for the unit are along the bottom of the unit at a plurality of inlets 369 and inlet 371. Johnson et al. do not teach or suggest maintaining the collected vapor in its vaporized state nor managing removal of the vapor through a filter.

Patentability relies upon the distinctive limitations recited in present Claim 31. Claims 32 through 63, which directly depend or ultimately depend from Claim 31, incorporate the patentable novelty of Claim 31. Therefore, the allowance of Claims 31 through 63 appears to be in order for at least the reasons given above with respect to Claim 31.

Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,



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